

MOTION BY SUPERVISOR GLORIA MOLINA

March 18, 2014

AMENDMENT TO ITEM #8

Consistent with the Board's duty under Government Code 25303 to supervise the official conduct of County officers, last week, this Board directed County Counsel and the Inspector General to propose a process which would allow the Board to review Sheriff's Department investigative files of officer involved shootings and excessive force incidents in a confidential and secure manner.

I, THEREFORE, MOVE that this Board approve and adopt the proposed process and confidentiality protocols for the review of Sheriff's investigative files recommended by County Counsel and the Inspector General, as provided below:

1. The Board or any member of the Board, wishing to review an investigative file must first make the request with County Counsel.
 - County Counsel will alert all Board members;
 - County Counsel will provide a Confidentiality Advisement for the Supervisor(s) to sign;

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Molina	_____
Ridley-Thomas	_____
Yaroslavsky	_____
Antonovich	_____
Knabe	_____

2. County Counsel will convey the request to review the file along with a copy of the signed confidentiality advisement or advisements to the Sheriff;
3. If the Sheriff agrees to provide the requested files, County Counsel will notify all Board members and arrange for Board members to review the file in County Counsel's Office. Board members may have a member of their staff accompany them, that staff member must also sign a Confidentiality Advisement;
4. If the Sheriff does not agree to produce the investigative files under the terms specified in the Confidentiality Advisement, the Sheriff will be requested to provide a written factual explanation identifying his reasons for declining the request. Such an explanation must specifically explain how providing file access to the Board of Supervisors under the specified confidentiality measures will interfere with the Sheriff's investigative authority;
5. County Counsel will review the Sheriff's response with the Inspector General and will inform the Board of the Sheriff's decision and his or her reasons for declining.

I, FURTHER, MOVE that within two weeks following a Board request for a Sheriff's investigative file, a closed session be placed on the Board's calendar to discuss the Sheriff's response. The Inspector General and County Counsel will advise the Board of their evaluation of the issues presented and make recommendations for further action as appropriate.

MJ/jp